

JS 44C/SDNY  
REV. 4/2014

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
Joseph CraccoDEFENDANTS  
THE CITY OF NEW YORK, Police Officer JONATHAN CORREA, Shield 7869,  
Transit Division District 4, and Police Officer JOHN DOE (a fictitious name)ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
James M. Maloney  
33 Bayview Avenue, Port Washington, NY 11050  
Tel: (516) 767-1395ATTORNEYS (IF KNOWN)  
Zachary Carter, Corporation Counsel of the City of New York  
100 Church Street, New York, NY 10007CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Claim against City and police officer(s) for false arrest and other violations of plaintiff's federal rights brought pursuant to 42 USC 1983.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[ ] 400 STATE
[ ] 130 MILLER ACT	LIABILITY	[ ] 365 PERSONAL INJURY	21 USC 881	[ ] 423 WITHDRAWAL	[ ] 410 ANTITRUST
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[ ] 690 OTHER	28 USC 157	[ ] 430 BANKS & BANKING
INSTRUMENT	SLANDER	[ ] 368 ASBESTOS PERSONAL			[ ] 450 COMMERCE
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	INJURY PRODUCT			[ ] 460 DEPORTATION
OVERPAYMENT &	EMPLOYERS'	LIABILITY			[ ] 470 RACKETEER INFLU-
ENFORCEMENT	LIABILITY				ENCED & CORRUPT
OF JUDGMENT	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>		<b>PROPERTY RIGHTS</b>	ORGANIZATION ACT
MEDICARE ACT	[ ] 345 MARINE PRODUCT	[ ] 370 OTHER FRAUD		[ ] 820 COPYRIGHTS	(RICO)
[ ] 152 RECOVERY OF	LIABILITY	[ ] 371 TRUTH IN LENDING		[ ] 830 PATENT	[ ] 480 CONSUMER CREDIT
DEFAULTED	[ ] 350 MOTOR VEHICLE			[ ] 840 TRADEMARK	[ ] 490 CABLE/SATELLITE TV
STUDENT LOANS	[ ] 355 MOTOR VEHICLE				
(EXCL VETERANS)	PRODUCT LIABILITY			<b>SOCIAL SECURITY</b>	[ ] 850 SECURITIES/
[ ] 153 RECOVERY OF	[ ] 360 OTHER PERSONAL	[ ] 380 OTHER PERSONAL	<b>LABOR</b>	[ ] 861 HIA (1395ff)	COMMODITIES/
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[ ] 710 FAIR LABOR	[ ] 862 BLACK LUNG (923)	EXCHANGE
OF VETERAN'S	[ ] 362 PERSONAL INJURY -	[ ] 385 PROPERTY DAMAGE	STANDARDS ACT	[ ] 863 DIWC/DIWW (405(g))	
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[ ] 720 LABOR/MGMT	[ ] 864 SSDI TITLE XVI	[ ] 890 OTHER STATUTORY
[ ] 160 STOCKHOLDERS			RELATIONS	[ ] 865 RSI (405(g))	ACTIONS
SUITS			[ ] 740 RAILWAY LABOR ACT		[ ] 891 AGRICULTURAL ACTS
[ ] 190 OTHER		<b>PRISONER PETITIONS</b>	[ ] 751 FAMILY MEDICAL	<b>FEDERAL TAX SUITS</b>	
CONTRACT		[ ] 463 ALIEN DETAINEE	LEAVE ACT (FMLA)	[ ] 870 TAXES (U.S. Plaintiff or	[ ] 893 ENVIRONMENTAL
[ ] 195 CONTRACT	<b>ACTIONS UNDER STATUTES</b>	[ ] 510 MOTIONS TO		Defendant)	MATTERS
PRODUCT	<b>CIVIL RIGHTS</b>	VACATE SENTENCE	[ ] 790 OTHER LABOR	[ ] 871 IRS-THIRD PARTY	[ ] 895 FREEDOM OF
LIABILITY		28 USC 2255	LITIGATION	26 USC 7609	INFORMATION ACT
[ ] 196 FRANCHISE	[x] 440 OTHER CIVIL RIGHTS	[ ] 530 HABEAS CORPUS	[ ] 791 EMPL RET INC		[ ] 896 ARBITRATION
	(Non-Prisoner)	[ ] 535 DEATH PENALTY	SECURITY ACT		[ ] 899 ADMINISTRATIVE
	[ ] 441 VOTING	[ ] 540 MANDAMUS & OTHER			PROCEDURE ACT/REVIEW OR
<b>REAL PROPERTY</b>	[ ] 442 EMPLOYMENT		<b>IMMIGRATION</b>		APPEAL OF AGENCY DECISION
[ ] 210 LAND	[ ] 443 HOUSING/	<b>PRISONER CIVIL RIGHTS</b>	[ ] 462 NATURALIZATION		[ ] 950 CONSTITUTIONALITY OF
CONDEMNATION	ACCOMMODATIONS	[ ] 550 CIVIL RIGHTS	APPLICATION		STATE STATUTES
[ ] 220 FORECLOSURE	[ ] 445 AMERICANS WITH	[ ] 555 PRISON CONDITION	[ ] 465 OTHER IMMIGRATION		
[ ] 230 RENT LEASE &	DISABILITIES -	[ ] 560 CIVIL DETAINEE	ACTIONS		
EJECTMENT	EMPLOYMENT	CONDITIONS OF CONFINEMENT			
[ ] 240 TORTS TO LAND	[ ] 446 AMERICANS WITH				
[ ] 245 TORT PRODUCT	DISABILITIES -OTHER				
LIABILITY	[ ] 448 EDUCATION				
[ ] 290 ALL OTHER					
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

## ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented  
☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

## BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [ ] 3	DEF [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4	[ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Joseph Cracco  
 c/o James M. Maloney  
 33 Bayview Avenue  
 Port Washington, NY 11050

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

The City of New York, c/o Office of Corporation Counsel, NYC Law Department  
 100 Church Street, New York, NY 10007

NYPD Officer Jonathan Correa, Shield #7869, Transit Division District 4  
 14th Street at Union Square West, New York, NY 10003

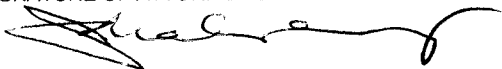
## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN  
 (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE SIGNATURE OF ATTORNEY OF RECORD

10/14/2014  
 RECEIPT #



ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
☒ YES (DATE ADMITTED Mo. October Yr. 1996 )  
 Attorney Bar Code # JM-5297

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)